

REMARKS

The Office Action dated October 4, 2003 has been carefully reviewed. Claims 1-20 are pending in this patent application. By this amendment, claims 13-20 have been amended, and claims 21-25 have been added. Reconsideration of this application, as amended, is respectfully requested.

35 U.S.C. § 102 Rejection (Burke et al.)

Claims 1-20 were rejected under 35 U.S.C. § 102 as being anticipated by Burke et al. (U.S. Patent No. 6,604,681). Claims 13-20 have been amended to correct a slight numbering offset in identification of the claims from which these claims depend. Reconsideration of claims 1-20 is respectfully requested.

Discussion Re: Patentability of Claim 12

Applicants' Invention

Applicant's inventive method generates a customer path to a location of a product in a store that a customer seeks to locate. This customer path is generated based on, at least in part, *customer identification data*. Among other benefits, Applicant's inventive method causes the customer to be routed through the store on a path that increases the potential for the purchase of goods other than those for which the customer entered the store.

Applicants' Claim 12

Claim 12 reads as follows:

A method for directing customers through a store to a customer selected product on a path that includes the location of a product in which the customer may have an interest to purchase comprising:

receiving customer identification data and customer product selection data from a customer;

generating customer interest data from said customer identification data; and

generating a customer path to a location corresponding to said selected product identification data *that includes a location corresponding to said customer interest data* so that said customer following said generated path comes into the vicinity of a product in which the customer may have an interest to purchase on the way to the customer selected product. (Emphasis added.)

Burke teaches a system for communicating directions to a customer of a product's location in a store (see, e.g., Abstract, last five lines; column 10, lines 30-33; and column 11, lines 24-41). However, Burke's system is never operated to (i) receive customer identification data ... from a customer, (ii) generate *customer interest data* from said customer identification data, and (iii) generate a customer path to a location corresponding to said selected product identification data *that includes a location corresponding to said customer interest data*, as claimed in claim 12. Note that Applicant's claimed method entails more than merely identifying a product's location on a map, or providing directions based on shortest distance to a product's location from a given location in a store.

It is axiomatic that anticipation of a claim under 35 U.S.C. § 102 is proper only if the prior art reference discloses each and every element of the claim. Since Burke does not disclose each and every element of Applicant's claim 12, Burke does not anticipate Applicant's claim 12.

Discussion Re: Patentability of Claims 13-20

Each of claims 13-20 depends directly or indirectly from claim 12. As a result, each of claims 13-20 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 12.

Discussion Re: Patentability of Claim 1

The discussion relating to the patentability of claim 12 is relevant to the patentability of claim 1. As a result, claim 1 is allowable over the Burke.

Discussion Re: Patentability of Claims 2-11

Each of claims 2-11 depends directly from claim 1. As a result, each of claims 2-11 is allowable over Burke for, at least, the reasons hereinbefore discussed with regard to claim 1.

35 U.S.C. § 102 Rejection (Powell)

Claims 1-11 were rejected under 35 U.S.C. § 102 as being anticipated by Powell (U.S. Patent No. 5,887,271). Reconsideration of claims 1-11 is respectfully requested.

Applicants' Claim 1

Claim 1 reads as follows:

A system for directing a customer by the location of a product that may interest the customer when the customer requests the system to provide directions to a customer selected product, comprising:
a data receiver for receiving customer identification data and customer product selection data;
a customer interest data generator for generating customer interest data;
and
a customer path generator for generating a customer path to a location corresponding to said customer product selection data that includes at least one location corresponding to said customer interest data.

Powell teaches a system in which the customer may insert a card into a display kiosk to view the location of products corresponding to coupons stored on the card (see, e.g., Abstract, lines 5-7; and column 15, lines 26-34). Powell's system does not include (i) a data receiver for receiving customer identification data and customer product selection data, (ii) a customer interest data generator for generating *customer interest data*, and (iii) a customer path generator for generating a customer path to a location corresponding to said customer product selection data *that includes at least one location corresponding to said customer interest data*, as required by claim 1. Indeed, Powell appears to teach nothing more than merely identifying product locations on a map.

It is axiomatic that anticipation of a claim under 35 U.S.C. § 102 is proper only if the prior art reference discloses each and every element of the claim. Since Powell does not disclose each and every element of Applicant's claim 1, Powell does not anticipate Applicant's claim 1.

Discussion Re: Patentability of Claims 2-11

Each of claims 2-11 depends directly from claim 1. As a result, each of claims 2-11 is allowable over Powell for, at least, the reasons hereinbefore discussed with regard to claim 1.

Newly Added Claims 21-25

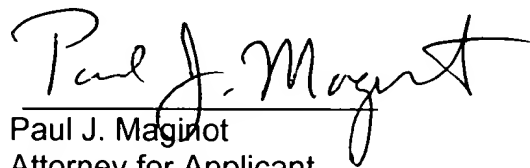
Newly added claims 21-25 recite novel and nonobvious limitations. Thus, each of claims 21-25 is allowable over the cited art.

Conclusion

In view of the foregoing amendments and remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

Respectfully submitted,

MAGINOT, MOORE & BECK

A handwritten signature in cursive script, reading "Paul J. Maginot". The signature is written in dark ink and is positioned above the printed name and title.

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